



OFFSHORE WIND:

KEY OBSTACLES AND OPPORTUNITIES

PRESENTED BY: TED BOLING

[EDWARD BOLING | PERKINS COIE](#)

JANUARY 27, 2023

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COUNSEL TO GREAT COMPANIES

Biden Administration Goals - 30 GW OSW deployed by 2030

January 2021- issued Executive Order 14008 on Tackling the Climate Crisis.

- Goals: Net zero greenhouse gas emissions by 2050 and more than a 50% reduction in emissions by 2030
- Offshore wind could meet a substantial amount of that target.

March 2021, announced ambitious goal of 30 GW of offshore wind deployed by 2030.

- Directed increased interagency coordination to meet the goal
- Steps toward good-paying, union jobs
- Investing in American infrastructure - domestic supply chain and deploy offshore wind energy
- Evaluation of offshore wind impacts
- Environmental Justice

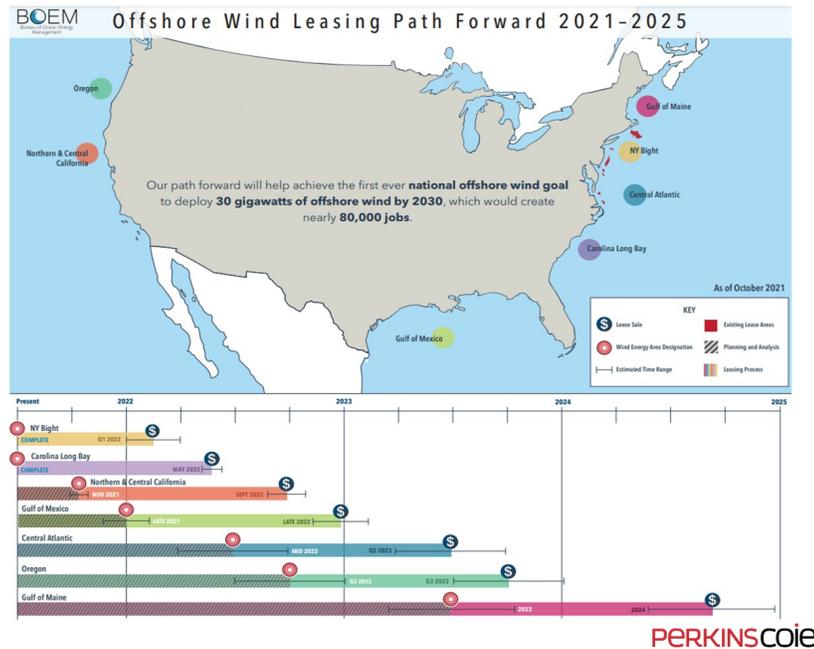
January 2022, additional announcements

- DOE Offshore Wind Strategies Report, including transmission priorities
- NOAA-BOEM MOU Collaboratively Advance Offshore Wind
- State-Federal Partnership (BOEM, NJ, NY) – Supply Chain & Benefits to Underserved Communities
- Port Investments
- Lease sales in Carolina Long Bay, offshore California, new WEAs in Gulf or Mexico and Central Atlantic

Leasing Path Forward

Leasing schedule:

- NY Bight - Sale held Feb. 2022
- North Carolina – May 2022
- California – Dec. 2022
- Gulf of Mexico - early 2023
- Central Atlantic - mid 2023
- Oregon - late 2023
- Gulf of Maine - late 2024



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NEW RULES OF THE ROAD!

- January 10, 2023, BOEM proposed 364 pages of major modifications to its offshore wind regulations.
- Contains reforms recommended by industry since 2010, including
 - Flexible geophysical/geotech survey requirements
 - Streamlined site assessment
 - Project verification procedures
 - Auction reforms
 - Safety Management Systems

PRE-PUBLICATION NOTICE. The Department of Interior Principal Deputy Assistant Secretary for Land and Minerals Management signed this notice of proposed rulemaking on January 10, 2023, via eSignature, and BOEM is submitting it for publication in the Federal Register (FR). BOEM is providing this document solely for the convenience of interested parties. This document is not disseminated for purposes of BOEM's Information Quality Guidelines and does not represent an Agency determination or policy. While we have taken steps to ensure the accuracy of this Internet version of the rule, it is not the official version of the proposed rule. Please refer to the official version in a forthcoming FR publication, which can be found at <https://www.regulations.gov>, Docket No. BOEM-2023-0005. Once the official version of this document is published in the FR, this version will be removed from the Internet and replaced with a link to the official version.

4310-MR

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

30 CFR Part 585

[Docket No. BOEM-2022-0019]

RIN 1010-AE04

Renewable Energy Modernization Rule

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: The first Outer Continental Shelf (OCS) renewable energy regulations were promulgated in 2009 by BOEM's predecessor, the Minerals Management Service (MMS).

BOEM's renewable energy program has matured over the past 13 years, during which time BOEM conducted eleven auctions and issued and managed 27 active commercial leases. Based on this experience, the Department has identified opportunities to modernize its regulations to facilitate the development of offshore wind energy resources to meet U.S. climate and renewable energy objectives. This proposed rule contains reforms identified by the Department and recommended by industry since 2010, including proposals for incremental funding of

Outer Continental Shelf Lands Act (OCSLA)

OCS Lands Act policy: offshore energy is a “vital national resource ... available for expeditious and orderly development, subject to environmental safeguards...”

Section 8(p)(1): “the secretary... may grant a lease, easement, or right-of-way on the outer continental shelf for activities not otherwise authorized in this subchapter... if those activities... produce or support production, transportation, or transmission of energy from sources other than oil and gas[.]”

OCSLA Section 8(p)

8(p)(3): leases must be issued competitively unless BOEM finds no competitive interest. [*Cape Wind was exempted from this process.*]

8(p)(4): lists factors secretary must “provide for” in issuing leases and approving activities on them, including:

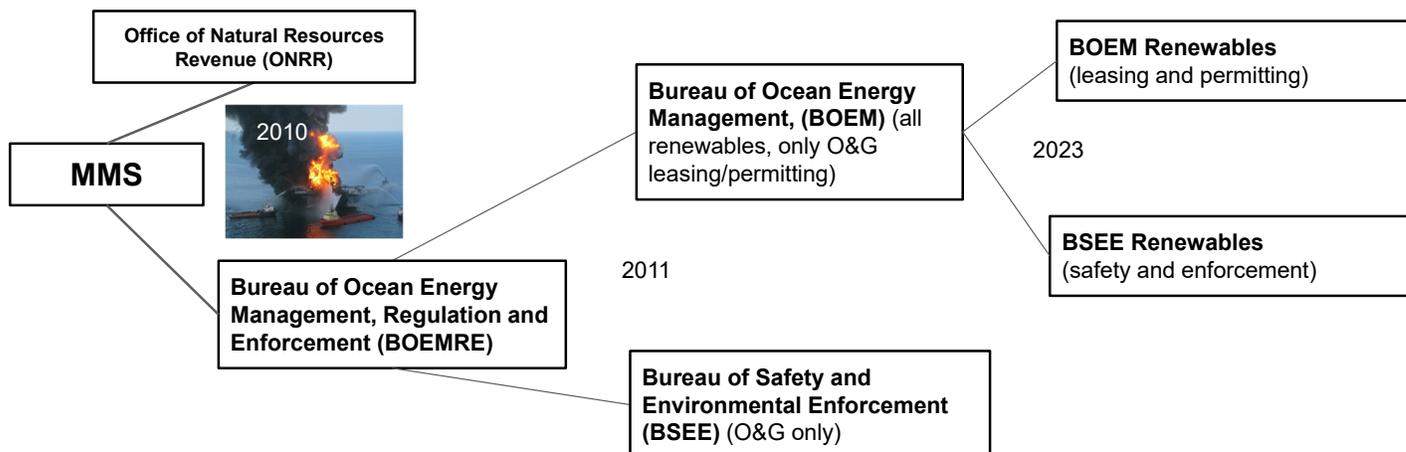
- Safety
- Environmental protection
- Prevention of waste
- Fair return to U.S. Government
- Protection of national security interests
- “prevention of interference with reasonable uses (as determined by the Secretary) of the exclusive economic zone, the high seas, and the territorial seas”
- Consideration of... any other use of the sea or seabed, including use for a fishery, a sealane, a potential site of a deepwater port, or navigation

OCSLA Section 8(p)

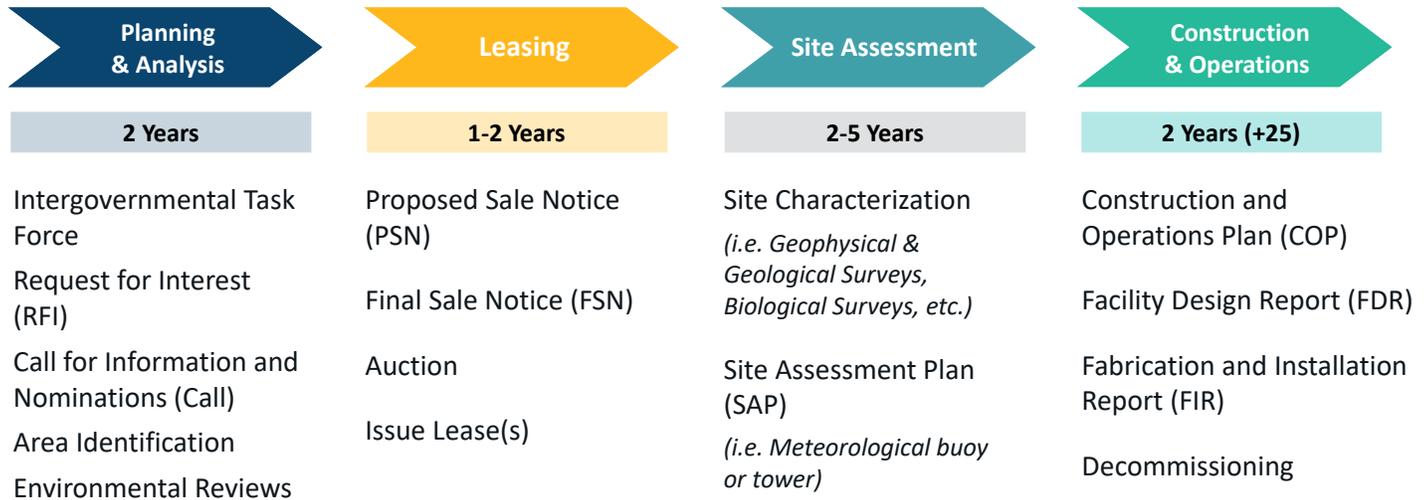
- **8(p)(6):** Requires financial security paid to US government.
- **8(p)(7):** Requires coordination and consultation with states/localities.
- **8(p)(9):** “Nothing in this subsection displaces, supersedes, limits, or modifies the jurisdiction, responsibility, or authority of any Federal or State agency under any other Federal law.”
- **8(p)(10):** No leasing, easements, rights-of-way in parts of the OCS that are National Parks, National Wildlife Refuges, National Marine Sanctuaries, National Monuments

Regulatory Authority

30 CFR part 585 – finalized April 2009 by Minerals Management Service (MMS), a bureau of the US Department of the Interior charged with managing energy production on the OCS; now it's the Bureau of Ocean Energy Management (BOEM).



OCS Renewable Energy Authorization Process



Planning & Analysis



Planning & Analysis | Leasing

PATH 1

- Intergovernmental Task Force formed
- Request for Interest (RFI) – optional step
- Call for Information (Call) – determine if competitive interest
- Creation of Wind Energy Area (WEA) through Area Identification
 - This is what is analyzed for leasing under NEPA
- Competitive lease sale (auction)

PATH 2

- Unsolicited lease request
- Request for Competitive Interest (RFCI)
- If yes, go to PATH 1
- If no, analyze lease issuance under NEPA & commence negotiations

Lease Issuance - parallel paths



Planning & Analysis | Leasing

- Proposed Sale Notice (PSN)
 - Proposed areas to lease
 - Draft lease for comment
 - Lease is just an exclusive option to submit a plan (no construction rights)
- Final Sale Notice (FSN)
 - Final areas to lease
 - Final lease
 - Auction format
- NEPA review
 - Environmental Assessment (EA) only analyzes surveys and site assessment
- BOEM must consult pursuant to:
 - The Endangered Species Act (ESA)
 - The Magnuson-Stevens Fishery Conservation & Management Act (MSFCMA)
 - National Historic Preservation Act (NHPA)
 - Coastal Zone Management Act (CZMA)
- Informal coordination
 - Department of Defense (DoD),
 - U.S. Coast Guard (USCG)

Lease Auction



Planning & Analysis | Leasing

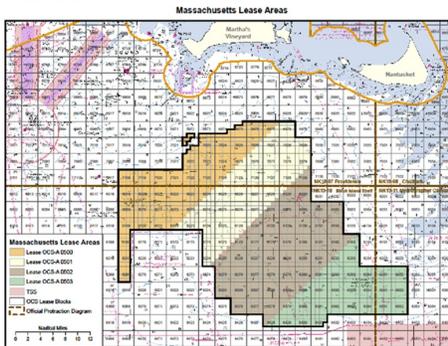
- All lease sales thus far have been “ascending bid” online auctions.
- BOEM may institute “bidding credits” - discounts based on beneficial aspects like PPAs or community benefits agreements.

BOEM Bureau of Ocean Energy Management																					
Pacific Wind Lease Sale 1 December 6-7, 2022																					
Round	Bidder	Lease OCS-P 0561				Lease OCS-P 0562				Lease OCS-P 0563				Lease OCS-P 0564				Lease OCS-P 0565			
		Bid Type	Imputed Price	Cash Bid	Bidding Credit	Bid Type	Imputed Price	Cash Bid	Bidding Credit	Bid Type	Imputed Price	Cash Bid	Bidding Credit	Bid Type	Imputed Price	Cash Bid	Bidding Credit	Bid Type	Imputed Price	Cash Bid	Bidding Credit
1	Avangrid Renewables, LLC					Live	\$6,903,100	\$5,310,077	\$1,593,023												
	California North Floating LLC					Live	\$6,903,100	\$5,310,077	\$1,593,023												
	Central California Offshore Wind LLC									Live	\$8,006,200	\$6,404,960	\$1,601,240								
	Equinor Wind US LLC									Live	\$8,006,200	\$6,158,615	\$1,847,585								
	Invenery California Offshore LLC									Live	\$8,041,800	\$6,186,000	\$1,855,800								
2	RAVE Offshore Wind Holdings, LLC																				
	Avangrid Renewables, LLC					Live	\$13,800,000	\$10,615,385	\$3,184,615												
	California North Floating LLC																				
	Central California Offshore Wind LLC																				
	Equinor Wind US LLC									Live	\$16,000,000	\$12,307,692	\$3,692,308	Live	\$8,041,800	\$6,433,440	\$1,608,360	Live	\$8,041,800	\$6,186,000	\$1,855,800

Vineyard Wind – lease issuance

- Jan. 2015 auction

- o 2 bidders only interested in leases 500 and 501
- o Winning bids: \$281K & \$166K

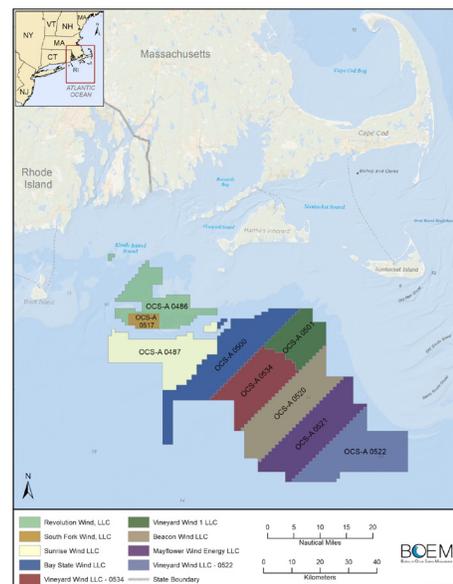


A few other winning bids

- Virginia 2013 - \$1.6M for 112K acres
- **Maryland 2014 - \$8.7M for 80K acres**
- New Jersey 2015 - \$880K for 160K acres
- **New York 2017 - \$42.5M for 79K acres**
- North Carolina 2018 - \$9M for 122K acres
- **Massachusetts 2018 - \$135M for 127K acres**
- **NY Bight 2022 - \$1.1B for 126K acres**
- North Carolina 2022 - \$160M for 55K acres
- ~~California 2022 - \$158M for 63K acres~~

Leasing Reforms

- BOEM offshore wind leases can be assigned, split, merged, relinquished, cancelled, and re-leased.
- BOEM's Jan. 10 proposals include:
 - Leasing schedule for 5 years (updated every 2 years) to facilitate planning
 - Clarify pre- and post-auction procedures, use of credits (PPA, PLA, CBA), auctions
 - Lease terms tied to development
 - Authorize regulatory departures
 - Authorize civil penalties
 - Lease segregation/consolidation procedures



Site Assessment Facilities



Planning & Analysis | Leasing | Site Assessment

- Lessee submits a site assessment plan (SAP) for BOEM approval under regulations that assumed installation of a fixed-bottom meteorological tower
- Industry transitioned to buoys anchored to seafloor that gather same data at lower cost and impacts
- USACE permitting process for buoys is subject to the same environmental laws as BOEM SAP
- Off-lease met towers/buoys subject to USACE jurisdiction (Section 10 of Rivers & Harbors Act)



Vineyard Wind – site assessment

- This is what they requested to deploy (LiDAR Buoy)
- Submitted a SAP for BOEM review.
- Took over 1 year for BOEM to review and approve deployment
- BOEM proposes to eliminate SAP
 - Use USACE Nationwide Permit 5
 - Met buoys no longer an “OCS source” under Clean Air Act



Site Characterization Surveys



Planning & Analysis | Leasing | Site Assessment

- Geophysical (sound waves mapping seabed and subsurface) - ground model and marine archaeological
- Geotechnical (e.g., boreholes, vibracores, and cone penetration)
 - Technical question— how many samples do you need to do your engineering?
 - Regulatory question—when do you need to do them? You may not have a final layout yet when you submit your Construction and Operation Plan (COP)
- Precise location of wind turbines may change after approval of COP
- Proposed rule would defer engineering site-specific surveys

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What's in a COP?



Planning & Analysis | Leasing | Site Assessment | Construction & Operations

- Geological reports (Geophysical and geotechnical)
- Biological reports (species, sensitive habitats)
- Archaeological reports (onshore and sea floor)
- Location plat for onshore and offshore facilities
- List of vessels, vehicles, aircraft used
- List of wastes generated and chemical products used
- List of all permits needed
- *BOEM proposes greater reliance on certified verification agents (CVA) for critical safety systems*
- Proposed measures for avoiding, minimizing, reducing, eliminating, and monitoring enviro impacts.
- Construction schedule
- Air quality information
- Water quality information
- Socio-economic resources
- Coastal and marine uses
- CZMA consistency certification
- “Additional information as required by BOEM”

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COP Project Design Envelope (PDE)



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- Lessee may propose a range of design parameters for approval; BOEM analyzes “maximum-case scenario”
- Example: monopile and gravity base foundations
 - Preserves flexibility at engineering/installation phase (long timelines and rapid technology development)
 - Minimizes risk of permitting delays
- 2016 [draft guidance](#) based on environmental reviews experience in Europe
- Proposed regulations codify PDE by reference to “ranges” of design parameters or locations

BOEM’s COP review



Planning & Analysis | Leasing | Site Assessment | Construction & Operations

- NEPA review
 - Environmental Impact Statement (EIS)
- BOEM required to consult pursuant to: ESA, MSFCMA, NHPA, CZMA
- Informal coordination
 - DOD, BSEE, USCG, Intergovernmental Task Force

OTHER PERMITS OR AUTHORIZATIONS

- USCG approval of PATON
- EPA issuance of OCS air permit
- USACE issuance of a Clean Water Act, Section 404 permit; River and Harbors Act, Section 10 permit
- MMPA ITA issued by NMFS
- FAA Notice of Proposed Construction or Alteration (w/in 12 NM)

BOEM's COP decision



Planning & Analysis | Leasing | Site Assessment | Construction & Operations

- “BOEM may approve, disapprove, or **approve with modifications** your COP”
 - o Approval will come with terms and conditions to be incorporated into COP.
 - o Disapproval will include reasons, give you opportunity to revise plan and resubmit.
- Approval includes a project easement with an approved cable route to the 3 mile line
- Record of Decision (ROD) gives you your official approval.

Federal Agencies – Consulting, Cooperating, Participating

- **BOEM is lead federal agency**
- **Other agencies that issue authorizations or are otherwise involved in or affected by offshore wind projects**
 - Advisory Council on Historic Preservation
 - Army Corps of Engineers (DoD)
 - Department of Defense
 - Department of Energy
 - Department of Homeland Security
 - United States Coast Guard
 - Department of Interior
 - Fish and Wildlife Service
 - Bureau of Safety and Environmental Enforcement
 - Department of Transportation
 - Federal Aviation Administration
 - National Oceanic and Atmospheric Administration
 - National Marine Fisheries Service
 - National Ocean Service



Common Environmental Consultation Requirements

Regulatory Process	Consulting Agencies
ESA Section 7 Consultation	U.S. Fish and Wildlife Service, National Marine Fisheries Service
CWA Sections 404 and 401 (401 delegated to state)	U.S. Army Corps of Engineers, State departments of water quality
NHPA Section 106	State or Tribal Historic Preservation Offices, Advisory Council on Historic Preservation; Tribes, Native Hawaiian and Alaskan Natives; may also include National Park Service Preservation Program, National Historical Landmarks Program, Archaeological Program; other consulting parties
Clean Air Act "Conformity" requirements	State Air Quality Districts
Coastal Zone Management Act consistency	State Coastal Zone Management Programs
Executive Orders on wetlands, floodplains, environmental justice	Varies
State "little NEPA" laws	CEQA in California; Massachusetts Environmental Policy Act (MEPA); Washington State Environmental Policy Act (SEPA); North Carolina SEPA; etc. See nepa.gov for current list: https://ceq.doe.gov/laws-regulations/states.html

NEPA Streamlining- FAST Act

Title 41 of the "Fixing America's Surface Transportation Act," also known as FAST – 41, 42 U.S.C. § 4370m et seq.

FAST-41 "covered project" - any activity that requires authorization or environmental review by a Federal agency involving construction of infrastructure for

- renewable or conventional energy production,
- electricity transmission,
- surface transportation, aviation, ports and waterways,
- water resource projects,
- broadband,
- pipelines,
- manufacturing, and any other sectors added by the Federal Permitting Improvement Steering Council

FAST-41 for INFRASTRUCTURE PERMITTING

A COORDINATED FRAMEWORK FOR IMPROVING THE FEDERAL ENVIRONMENTAL REVIEW AND AUTHORIZATION PROCESS

Large, complex infrastructure projects in the United States may benefit from a new process designed to enhance coordination, transparency, predictability, and accountability of Federal environmental reviews and authorizations required prior to construction.

On December 4, 2015, the Fixing America's Surface Transportation Act (FAST) Act was signed into law. Title 41 of this Act (42 U.S.C. § 4370m et seq.), referred to as "FAST-41," created a new governance structure, set of procedures, and funding authorities to improve the Federal environmental review and authorization process for covered infrastructure projects.

FAST-41 KEY COMPONENTS

High-level oversight for covered projects. FAST-41 created the Federal Permitting Improvement Steering Council (Permitting Council) composed of representatives at the agency Deputy Secretary-level and chaired by an Executive Director appointed by the President. The Executive Director supports the Council in overseeing FAST-41 implementation, enhancing interagency coordination, resolving disputes, and ensuring covered projects receive the benefits provided by FAST-41.

Environmental review and authorization process improvement. FAST-41 works to improve the permitting process within the structure of existing Federal environmental reviews and authorizations. FAST-41 calls for the designation of a lead Federal agency and promotes early consultation and enhanced interagency coordination by requiring the development of a project-specific plan and timetable for the completion of environmental reviews and authorizations. This coordinated project plan may also include approaches and schedules for public and tribal outreach and coordination, as well as discussion of potential avoidance, minimization, and mitigation strategies.

Online Permitting Dashboard. The lead Federal agency for all FAST-41 covered projects is required to post the project environmental review and authorization target completion dates on the Permitting Dashboard. This allows stakeholders to track the status of federal permitting activities to improve coordination, transparency, predictability, and accountability.

Funding authority for governance, oversight, and processing. FAST-41 creates a new authority for the Federal government to collect fees from project sponsors, which, if implemented, will allow the Permitting Council's Executive Director to direct resources to critical functions across the Federal environmental review process.

FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL

FAST-41 established the Permitting Council as an oversight council to oversee the cross-agency Federal environmental review and authorization process. The Permitting Council consists of members from 13 Federal agencies, the Council on Environmental Quality, and the Office of Management and Budget.

- Advisory Council on Historic Preservation
- Department of Agriculture
- Department of the Army
- Department of Commerce
- Department of Defense
- Department of Energy
- Department of Homeland Security
- Department of Housing and Urban Development
- Department of the Interior
- Department of Transportation
- Environmental Protection Agency
- Federal Energy Regulatory Commission
- Nuclear Regulatory Commission

FOR MORE INFORMATION

For additional information, visit the Federal Permitting Dashboard at:
<https://www.permits.performance.gov>

For questions related to FAST-41 or the Permitting Council, email:
FAST.FortyOne@fpisc.gov

Leadership and Structure

PERMITTING COUNCIL & CERPOS

COUNCIL CHAIR: CHRISTINE HARADA (EXECUTIVE DIRECTOR)

Advisory Council on Historic Preservation, Jordan Tannenbaum - Reid Nelson
Council on Environmental Quality, Brenda Mallory - Jayni Hein
Department of Agriculture, Jewel Bronaugh - Scott Vandegrift
Department of the Army, Jamie Pinkham - Thomas Smith - Regulatory
- Eric Bush (acting) - Planning
Department of Commerce, Walker Smith - Sam Rauch (Acting)
Department of Defense, Steve Morani - Richard Kidd IV
Department of Energy, David Turk - Michelle Manary
Department of Homeland Security, Randolph Alles - Teresa Pohlman
- Brian L. Dunn (Acting) (U.S. Coast Guard)
Department of the Interior, Tommy Beaudreau - Steve Tryon (Acting)
Department of Transportation, Polly Trottenberg - Andrew Wishnia
Environmental Protection Agency, Philip Fine - Rob Tomiak
Federal Energy Regulatory Commission, Terry Turpin - Heather Campbell
Housing and Urban Development, Adrienne Todman - Lauren McNamara
Nuclear Regulatory Commission, Darrell Roberts - John Tappert
Office of Management and Budget, Shalanda Young



NEPA Streamlining – FAST Act

- Sponsor can have a project covered if it is:
 - subject to NEPA;
 - likely to require a total investment of more than \$200,000,000; and
 - does not qualify for abbreviated authorization or environmental review processes under any applicable law; or
 - is subject to NEPA and the size and complexity of which, in the opinion of the Permitting Council, make the project likely to benefit from enhanced oversight and coordination.
- **Exclusion** — "covered project" does not include—
 - any project subject to section 139 of title 23 (Transportation); or
 - any project subject to section 2348 of title 33 (Water Resources Development Act).

IIJA's Modifications to the FAST Act / FAST-41

- IIJA removed the 7-year “sunset” provision, making FAST-41 permanent.
- IIJA requires preparation of a single, joint, interagency EIS, unless the lead agency provides justification in the coordinated project plan that multiple environmental documents are more efficient.
- IIJA envisions even more aggressive timelines:
 - The Permitting Council must aim to develop recommended performance schedules that do not exceed 2 years and provide an explanation if a recommended performance schedule exceeds 2 years.
 - Federal agencies must, “to the maximum extent practicable,” issue a ROD within 90 days of issuance of a final EIS.
 - Shortens to 21 days the timeframe to identify all federal and nonfederal agencies likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project.
 - Makes the process of amending a permitting timetable more onerous.

EIS Model Timeline



- Agencies shall complete the EIS “within 2 years unless a senior agency official of the lead agency approves a longer period in writing and establishes a new time limit.” 40 CFR 1501.10(b)(2) (2 years from NOI to ROD)

Minimum timeframes (40 CFR 1506.11):

- Draft EIS is published for public comment for at least 45 days.
- 30-day EIS review period between publishing a final EIS and signing a record of decision (ROD).
- ROD can be signed no sooner than 90 days after publishing a draft EIS.
- EPA may reduce minimum periods based on compelling reasons of national policy

Why do sponsors have a project “covered”?

- “Chief Environmental Review and Permitting Officer”
- Permitting Dashboard for public display of project status (<https://www.permits.performance.gov/projects>)
- Performance Schedules
- Cooperating Agencies coordination
- Project Initiation Notice
- Coordinated Project Plan for action by each participating agency on any federal environmental review or authorization required for the project.
- Environmental Review and Authorization Process Milestones and Schedule Requirements
- Limits on Litigation (2-year statute of limitations, required participation in NEPA process, TRO & PI consideration of impacts to jobs)

White House Permitting Action Plan

- **Accelerating Smart Permitting through Early Cross-Agency Coordination**
 - Leveraging new Permitting Council and DOT authorities in Infrastructure Investment and Jobs Act.
 - Sector-specific interagency teams.
 - Develop additional programmatic approaches and legislative recommendations for outdated laws (e.g. Mining Law of 1872).
- **Establishing Clear Timeline Goals and Tracking Key Project Information**
 - Create and post to the Permitting Dashboard permitting schedules with clear timeline goals that are both ambitious and realistic, contain relevant milestones, and meet all requirements in applicable law.
- **Engaging in Early and Meaningful Outreach with States, Tribal Nations, Territories, and Local Communities**
 - Early and sustained Tribal consultation with annual reporting to OMB.
 - Proactively partner with State and Local govts, include non-Federal authorizations on the Permitting Dashboard.
 - Agencies will review public participation policies under NEPA, NHPA, Title VI and EOs on EJ and LEP.

White House Permitting Action Plan cont'd

- **Improve Agency Responsiveness, Technical Assistance, and Support**
 - Agencies will identify, share, or develop resources, trainings, and tools to help stakeholders navigate the environmental review and permitting process effectively and efficiently.
 - Review environmental review and permitting information collection requirements.
- **Using Agency Resources and Environmental Reviews to Improve Impact**
 - Prioritize available resources to address workforce needs, accelerated hiring, and liaison positions.
 - Use technology, data, and tools to efficiently and holistically assess environmental and community effects

Due Date	Key Deliverables
July 10, 2022	Charter sector-specific interagency teams
August 9, 2022	OMB / CEQ guidance on carrying out the Action Plan
August 9, 2022	Agencies report on opportunities for new programmatic analyses
August 9, 2022	FPISC / CEQ / OMB guidance on expanded use of Dashboard
August 9, 2022	Agencies submit initial plans on implementing the Action Plan

Inflation Reduction Act NEPA Funding

Section	Agency	Amount	Fund Availability	Purpose
23001	USDA (Forest Service)	\$100m	September 30, 2031	For environmental reviews by the Chief of the Forest Service in satisfying the obligations of the Chief of the Forest Service under NEPA
40003	DOC (NOAA)	\$20m	September 30, 2026	To conduct more efficient, accurate, and timely reviews for planning, permitting and approval processes through the hiring and training of personnel, and the purchase of technical and scientific services and new equipment, and to improve agency transparency, accountability, and public engagement.
50301	DOE	\$115m	September 30, 2031	Hiring and training of personnel, the development of programmatic environmental documents, the procurement of technical or scientific services for environmental reviews, the development of environmental data or information systems, stakeholder and community engagement, and the purchase of new equipment for environmental analysis to facilitate timely and efficient environmental reviews and authorizations.
50302	FERC	\$100m	September 30, 2031	" "
50303	DOI (NPS, BLM, BOEM, BOR, BSEE, OSMRE)	\$150m	September 30, 2026	" "
60115	EPA	\$40m	September 30, 2026	The development of efficient, accurate, and timely reviews for permitting and approval processes through the hiring and training of personnel, the development of programmatic documents, the procurement of technical or scientific services for reviews, the development of environmental data or information systems, stakeholder and community engagement, the purchase of new equipment for environmental analysis, and the development of geographic information systems and other analysis tools, techniques, and guidance to improve agency transparency, accountability, and public engagement.

Inflation Reduction Act NEPA Funding

Section	Agency	Amount	Fund Availability	Purpose
60401	CEQ (EJ)	\$32.5m	September 30, 2026	(1) to support data collection efforts relating to— (A) disproportionate negative environmental harms and climate impacts; and (B) cumulative impacts of pollution and temperature rise; (2) to establish, expand, and maintain efforts to track disproportionate burdens and cumulative impacts and provide academic and workforce support for analytics and informatics infrastructure and data collection systems; and (3) to support efforts to ensure that any mapping or screening tool is accessible to community-based organizations and community members.
60402	CEQ (NEPA)	\$30m	September 30, 2026	To carry out the Council on Environmental Quality's functions and for the purposes of training personnel, developing programmatic environmental documents, and developing tools, guidance, and techniques to improve stakeholder and community engagement.
60505	DOT (FHWA)	\$100m	September 30, 2026	Development of guidance, technical assistance, templates, training, or tools to facilitate an efficient and effective environmental review process for surface transportation projects, associated administrative expenses of FHWA, and provision of funds to eligible entities (e.g., states, Tribes, MPOs, localities)
70007	FPISC	\$350m	September 30, 2026	For the purposes of administering, implementing, and enforcing this subchapter, including the expenses of the Council, staffing of the Office of the Executive Director, and support of the role of the Council as a Federal center for permitting excellence, which may include supporting interagency detailee and rotation opportunities, advanced training, enhanced support for agency project managers, and fora for sharing information and lessons learned. For the purpose of carrying out this subchapter, the Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other Federal agencies and State, Tribal, and local governments to facilitate timely and efficient environmental reviews and authorizations for covered projects and other projects under this subchapter, including direct reimbursement agreements with agency CERPOs, reimbursable agreements, and approval and consultation processes and staff for covered projects.

Questions?

